

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS AND ST. JOHN**

<b>KIM BEATTY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 3:20-cv-0046</b>
	)	
<b>FEDERAL EXPRESS VIRGIN ISLANDS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	
	)	

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**ORDER**

**BEFORE THE COURT** is the Parties' Joint Motion to Vacate Pending Trial Date, currently scheduled for October 18, 2021. (ECF No. 72.) The parties represent that the summary judgment filings were due on September 27, 2021 and that the motion would not be ready for the Court's consideration until that date, "at the earliest, assuming no motion for sur-reply is filed by Beatty." *Id.* at 1. In addition, the parties argue that Plaintiff and all of Defendant's witnesses and counsel live off-island will need to arrange in advance for travel to the Virgin Islands for the trial. Furthermore, the parties "request that the Court consider health and safety factors" such as are addressed in the Court's Twenty-Sixth Order Concerning Operations during the Covid-19 Outbreak when ruling on the motion. The motion requests that the date be vacated, which the Court construes as a motion to continue trial date.

After careful consideration and review and in order to ensure a speedy and prompt disposition of this matter, it is hereby

**ORDERED** that the Parties' Joint Motion to Vacate Pending Trial Date, ECF No. 72, is **GRANTED**; it is further

**ORDERED** that the trial in this matter currently scheduled for October 18, 2021, is **CONTINUED to February 7, 2022.**

**IT IS FURTHER ORDERED** that the parties shall adhere to the following schedule:

1. The deadline to complete factual and expert discovery has expired.
2. The deadline to file dispositive and *Daubert* motions has expired.

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3. The parties shall file a proposed Joint Final Pretrial Order in accordance with LRCi 16.1(b) **no later than January 7, 2022.**
4. The parties shall file a trial brief or memorandum in accordance with LRCi 16.1(c) **no later than January 7, 2022.**
5. A telephonic pretrial conference **SHALL** be held on **Friday, January 14, 2022, at 11:00 a.m.** Call-in information will be provided to the parties at a later date.
6. The parties are to assume that the deadlines contained in this Order will be strictly enforced and any extensions, changes, and/or modifications of any dates herein shall be made only for good cause and with the Court's consent.

**DONE AND SO ORDERED.**

**Dated:** October 6, 2021

/s/ Robert A. Molloy  
**ROBERT A. MOLLOY**  
**Chief Judge**